

9/11/81

Dear Rick Smith,

Enclosed is a carbon of a proposed press release I sent Jim Lesar, for distribution on the day before the press conference. It indicates some of the contents of the affidavit.

I asked Jim today to try and arrange for xeroxing a couple of extra copies of the affidavit so that reporters can borrow them for short periods of time.

The special agent whose indictment I asked is John W. Kilty. He has sworn to three different and contradictory versions of a single very material fact in this case alone. For a mortal, not an FBI agent, the perjury would be obvious and changed.

Something else I forgot is an untold and somewhat Byzantine story. It is in one of the exhibits, an affidavit from the third man wounded in the assassination, Jim Tague. He had gone back to take movies of the spot where he was wounded, to show his folks. In May 1964 the curbstone had been patched and he could not find the spot that had a small hole, a quite visible nick, from the bullet impact. He told nobody about having taken these movies or what they didn't show, but when he was deposed by Commission counsel Wesley Liebeler, Liebeler knew about it and actually showed Tague a picture he said was made from the movie film. Then the movie film itself suffered a mysterious disappearance from Tague's home.

I don't know of a single BOIA assassination records case that is not tainted by official false swearing or of a single judge who would do anything serious about it. In one of my cases the judge banished one false-swearing FBI agent who had even phoned up records and filed them. They get Brownie points for perjury, the Act and requesters are frustrated and official dirtyworks remain unexposed.

Sincerely,

Harold Weisberg